In re Application of SHISHIR, et al.
Serial No. 10/052,039

REMARKS

The Office action has been carefully considered. Claims 1-11, 15-18, 21-23, 25-27,

and 32-38 were rejected under 35 U.S.C. § 102(e) as being anticipated by Serlet et al., U.S.

Patent No. 6,842,770 (hereinafter "Serlet"). Claims 12-14, 28-31, and 39-41 were rejected

under 35 U.S.C. § 103(a) as being unpatentable over Serlet in view of Prust, U.S. Patent

No. 6,714,968 (hereinafter "Prust"). Claims 19 and 20 were rejected under

35 U.S.C. § 103(a) as being unpatentable over Serlet in view of Andreoli et al., U.S. Patent

No. 6,732,361 (hereinafter "Andreoli"). Claim 24 was rejected under 35 U.S.C. § 103(a) as

being unpatentable over Serlet in view of Deen et al., U.S. Patent No. 6,629,127

(hereinafter "Deen"). Applicants submit that the claims 1-41 as initially presented were in

acceptable form.

By present amendment, claims 1, 12, 14, 16, 19, 20, 25, 28, 33, and 36-41 have been

amended to more particularly point out and distinctly claim the invention. Applicants

further submit that the claims as filed were patentable over the prior art of record, and that

the amendments herein are for purposes of clarifying the claims and/or for expediting

allowance of the claims, and not for reasons related to patentability. Reconsideration is

respectfully requested.

Applicants thank the Examiner for the interview held (by telephone) on

May 4, 2005. During the interview, the Examiner and applicants' attorney discussed the

various sections of the application and independent claims 1, 16, and 33 with respect to the

prior art and enablement. The essence of applicants' position is incorporated in the remarks

below.

13

In re Application of SHISHIR, et al.
Serial No. 10/052,039

Turning to the 35 U.S.C. § 102(e) rejections, applicants' invention relates to

providing a system and method that automatically and transparently handles WebDAV file

access, whereby applications (including WebDAV unaware applications) can access

WebDAV files through conventional file system-directed API (application programming

interface) calls or the like. Applications can also issue network-related requests to

WebDAV servers, such as for browsing, with those requests transparently handled as if a

WebDAV share was a local folder.

To this end, the present invention comprises a WebDAV redirector and related

components that receive requests directed to a WebDAV server, and take actions to handle

the request locally or remotely as appropriate. For example, the WebDAV redirector and

related components support I/O requests and network requests directed to WebDAV servers

identified by URI (Universal Resource Identifier) names, or by a drive, may be mapped to a

WebDAV share.

To this end, the redirector components operate to determine whether an

application's create or open I/O request is directed to a WebDAV server that is connected

and operating, and if so, whether a specified share and file on that server are accessible. If

so, the redirector informs a multiple UNC provider that it can handle the request, and a

local copy of the file is downloaded and cached for local I/O access, whereby reads and

writes to the WebDAV server are made from and to the cached file. When closed, the local

file is uploaded to the WebDAV server if it has been modified on the client.

Network-related requests that are directed to a WebDAV server, such requests as

related to browsing, are also handled transparently by acting on API calls or the like

corresponding to the request. For example, an API call to enumerate a WebDAV share is

14

In re Application of SHISHIR, et al.
Serial No. 10/052,039

provided to the WebDAV redirector components, which determine whether the server and

share is valid, and if so, inform a multiple provider router that the request can be handled.

Network communications are controlled by the WebDAV redirector components to handle

the request. The above description is for informational purposes only, and should not be

used to limit the claims, which are discussed below.

The Office action rejected independent claims 1, 16, and 33 under 35 U.S.C. §

102(e) as being anticipated by Serlet. However, each of these claims essentially recite

receiving an I/O request initiated from an application program directed to a file on a

WebDAV server; directing the I/O request to a WebDAV redirector for communicating

with the WebDAV server to determine whether the request can be handled, and if so,

handling the request. As further recited in claim 1 for example, the request may be handled

by requesting a file system to create the file, downloading the file to a local cache of the file

system, and returning a file handle corresponding to the file in the local cache to the

application program. In contrast to the claims, Serlet never teaches or even suggests

anything but, "the personal computer 10 running the SFS includes an extension to the

operating system referred to as SFS plug-in 50 and an application level program referred to

as the SFS network access application program (or the SFS network access program) 52."

Serlet, col. 4, lines 55 – 60. Additionally, Serlet teaches, "[v]ia file system interface 56,

SFS plug-in 50 receives requests from an application program 54 which the application

program 54 directed to the personal computer's file system interface 56, commonly referred

to as an application program interface (API)." Serlet, col. 4, lines 60 – 64. Furthermore,

Serlet teaches, "SFS plug-in 50 provides for file system call parsing and communicates with

SFS network access program 52 in addition to file system interface 56 of operating system

15

In re Application of SHISHIR, et al.
Serial No. 10/052,039

48. In one embodiment, the communication between SFS plug-in 50 and SFS network access program 52 is via local sockets." Serlet, col. 4, lines 64 – 67. In other words, Serlet describes a high-level methodology for "establishing network connections and protocol communication with remote computers such as computer 34 running a well-known application level internet protocol." Serlet, col. 5, lines 5 – 6. In fact, a thorough reading of Serlet in its entirety fails to provide any indication that Serlet even contemplates receiving at an I/O manager an I/O request initiated from an application program directed to a file on a WebDAV server; directing the I/O request to a WebDAV redirector for communicating with the WebDAV server to determine whether the request can be handled, and if so, requesting a file system to create the file, downloading the file to a local cache of the file system, and returning a file handle corresponding to the file in the local cache to the application program. Unlike applicants' invention that implements a WebDAV redirector without the need to modify the underlying file systems, Serlet instead teaches away from applicants' invention as claimed by extending the file system to include a plug-in for receiving the file system request for processing a WebDAV file operation.

Anticipation under 35 U.S.C. § 102 requires the disclosure in a single prior art reference of each and every element of the claim under consideration, and each element must be arranged as in the claim. Serlet does not teach or suggest receiving at an I/O manager an I/O request initiated from an application program directed to a file on a WebDAV server and directing the I/O request to a WebDAV redirector for communicating with the WebDAV server to determine whether the request can be handled as essentially recited in claim 1. Nor does Serlet teach or suggest that, if the WebDAV redirector determines the request can be handled, requesting a file system to create the file,

16

In re Application of SHISHIR, et al.
Serial No. 10/052,039

downloading the file to a local cache of the file system, and returning a file handle

corresponding to the file in the local cache to the application program as is also essentially

recited in claim 1.

The Office action cites column 7, lines 35-56 and column 6, line 25 –

column 7, line 34 as well as column 11, lines 24-49 and column 12, lines 35-44 as teaching

the elements of claim 1. Office action, pages 2-3. Applicants strongly disagree. A closer

reading of a portion of the cited text (column 6, line 25 – column 7, line 34) reveals that

Serlet teaches a high-level methodology for establishing network connections and protocol

communication with remote computers. Additionally, a closer reading of another portion of

the cited text (column 7, lines 35-56) reveals that Serlet teaches high-level methodology for

defining file requests (e.g. seeking information and impact information) and actions taken

based on the definitions (e.g. execution continues and obtaining the requested files).

Similarly, a closer reading of a portion of the cited text (column 11, lines 24-49) reveals

that Serlet teaches high-level methodology for intercepting file system requests directed to a

remote file system, manipulating the arguments, and instructing the local file system to

perform a sequence of operations on the locally stored cache file corresponding to a

requested remote file or remote directory. Additionally, a closer reading of another portion

of the cited text (column 12, lines 35-44) reveals that Serlet teaches a high-level

methodology for retrieving and opening read requested files. Nowhere in Serlet can there

be found receiving at an I/O manager an I/O request initiated from an application program

directed to a file on a WebDAV server and directing the I/O request to a WebDAV

redirector for communicating with the WebDAV server to determine whether the request

can be handled. Unlike applicants' invention that implements a WebDAV redirector

17

In re Application of SHISHIR, et al.
Serial No. 10/052,039

without the need to modify the underlying file systems, Serlet instead teaches away from

applicants' invention as claimed by extending the file system to include a plug-in for

receiving the file system request for processing a WebDAV file operation.

For at least the above reasons, Serlet fails to meet the requirements for supporting a

§102 rejection of this claim, and applicants respectfully submit that claim 1 and the claims

that depend thereon are patentable over the cited art. Applicants respectfully request that

claim 1 and the claims that depend thereon be allowed.

Similarly, Serlet does not teach or suggest receiving at a local application

programming interface layer an application request that relates to a Uniform Resource

Identifier; providing information corresponding to the request to a local WebDAV

redirector; and determining at the WebDAV redirector whether a server identified via the

application request comprises a WebDAV-enabled server, and if so, handling the request as

essentially recited in claim 16. Nowhere in Serlet can there be found receiving at a local

application programming interface layer an application request that relates to a Uniform

Resource Identifier and providing information corresponding to the request to a local

WebDAV redirector. Nor can there be found anywhere in Serlet determining at the

WebDAV redirector whether a server identified via the application request comprises a

WebDAV-enabled server, and if so, handling the request. Rather, Serlet teaches away from

applicants' claimed invention by extending the file system to include a plug-in for receiving

the file system request for processing a WebDAV file operation. For at least the above

reasons, Serlet fails to meet the requirements for supporting a §102 rejection of this claim,

and applicants respectfully request reconsideration and withdrawal of the rejection of claim

18

In re Application of SHISHIR, et al.
Serial No. 10/052,039

16 based on Serlet. Therefore, claim 16 and the claims that depend thereon are patentable over the cited art.

Additionally, Serlet does not teach or suggest an application program that issues WebDAV-related requests, including at least one request having an identifier corresponding to a WebDAV server, and a WebDAV redirector, the WebDAV redirector configured to communicate with a network server to obtain capability information thereof, and to evaluate the capability information to determine whether the network server comprises a WebDAV-enabled server as essentially recited in claim 33. Nor does Serlet teach or suggest when the capability information indicates that the network server is WebDAV-enabled, the WebDAV redirector locally handling each request corresponding to the WebDAV server that can be handled locally, and communicating with the WebDAV server to handle requests that cannot be handled locally as essentially recited in claim 33. For at least the above reasons including the reasons why claims 1 and 16 are allowable, Serlet fails to meet the requirements for supporting a §102 rejection of this claim, and applicants respectfully request reconsideration and withdrawal of the rejection of claim 33 based on Serlet. Therefore, claim 33 and the claims that depend thereon are patentable over the cited art.

Turning to the 35 U.S.C. § 103(a) rejections, dependent claims 12-14, 28-31, and 39-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Serlet in view of Prust and dependent claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Serlet in view of Andreoli. Additionally, dependent claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Serlet in view of Deen. By law, in order to establish prima facie obviousness of a claimed invention, all of the claim limitations must

19

In re Application of SHISHIR, et al.
Serial No. 10/052,039

be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA

1974). In addition, "all words in a claim must be considered in judging the patentability of

that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496

(CCPA 1970). Further, if prior art, in any material respect teaches away from the claimed

invention, the art cannot be used to support an obviousness rejection. *In re Geisler*,

116 F.3d 1465, 1471, 43 USPQ2d 1362, 1366 (Fed Cir. 1997).

Regarding the rejections of dependent claims 12-14 of the present invention, the

Office action rejected claims 12-14 under 35 U.S.C. § 103(a) as being unpatentable over

Serlet in view of Prust. Applicants respectfully submit that the rejection of claims 12-14 is

improper. Claim 12 depends from independent claim 1 and claims 13-14 depend from

claim 12. For the reasons stated above with reference to claim 1, Serlet does not disclose,

teach, or even suggest the limitations of claim 1. Furthermore, Serlet actually teaches away

from the limitations of claim 1, and therefore, Serlet cannot be properly used to reject

claim 12 or claims 13-14 which depend from claim 12 under 35 U.S.C. § 103(a).

Regarding the rejections of dependent claims 28-31 of the present invention, the

Office action rejected claims 28-31 under 35 U.S.C. § 103(a) as being unpatentable over

Serlet in view of Prust. Applicants respectfully submit that the rejection of claims 28-31 is

improper. Claims 28-29 depend from independent claim 16, claim 30 depends from claim

29, and claim 31 depends from claim 30. For the reasons stated above with reference to

claim 16, Serlet does not disclose, teach, or even suggest the limitations of claim 16.

Furthermore, Serlet actually teaches away from the limitations of claim 16, and therefore,

Serlet cannot be properly used to reject claims 28-29, claim 30 which depends from claim

29, or claim 31 which depends from claim 30 under 35 U.S.C. § 103(a).

20

In re Application of SHISHIR, et al.
Serial No. 10/052,039

Regarding the rejections of dependent claims 39-41of the present invention, the

Office action rejected claims 39-41 under 35 U.S.C. § 103(a) as being unpatentable over

Serlet in view of Prust. Applicants respectfully submit that the rejection of claims 39-41 is

improper. Claim 39 depends from dependent claim 38 which depends from independent

claim 33, claim 40 depends from claim 39, and claim 41 depends from claim 40. For the

reasons stated above with reference to independent claim 33 and dependent claim 38, Serlet

does not disclose, teach, or even suggest the limitations of independent claim 33 and

dependent claim 38. Furthermore, Serlet actually teaches away from the limitations of

independent claim 33 and dependent claim 38, and therefore, Serlet cannot be properly used

to reject claim 39 which depends from claim 38, claim 40 which depends from claim 39, or

claim 41 which depends from claim 40 under 35 U.S.C. § 103(a).

Turning to the rejection of dependent claim 20, the Office action rejected dependent

claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Serlet in view of Andreoli.

Applicants respectfully submit that the rejection of claims 20 is improper. Claim 20

depends from independent claim 16. For the reasons stated above with reference to claim

16, Serlet does not disclose, teach, or even suggest the limitations of claim 16.

Furthermore, Serlet actually teaches away from the limitations of claim 16, and therefore,

Serlet cannot be properly used to reject claim 20 under 35 U.S.C. § 103(a).

Regarding the rejection of dependent claim 24 of the present invention, the Office

action rejected dependent claim 24 was rejected under 35 U.S.C. § 103(a) as being

unpatentable over Serlet in view of Deen. Applicants respectfully submit that the rejection

of claims 24 is improper. Claim 24 depends from independent claim 16. For the reasons

stated above with reference to claim 16, Serlet does not disclose, teach, or even suggest the

21

In re Application of SHISHIR, et al.
Serial No. 10/052,039

limitations of claim 16. Furthermore, Serlet actually teaches away from the limitations of

claim 16, and therefore, Serlet cannot be properly used to reject claim 24 under

35 U.S.C. § 103(a).

Moreover, the Office action does not provide proper motivation for combining

Serlet with Prust to achieve the subject matter claimed in dependant claims 12-14, 28-31,

and 39-41. Nor does the Office action provide proper motivation for combining Serlet with

Andreoli to achieve the subject matter claimed in dependant claim 20. Similarly, the Office

action does not provide proper motivation for combining Serlet with Deen to achieve the

subject matter claimed in dependant claim 24. However, by law, in order to support a

§ 103(a) rejection, there must be some teaching, suggestion, or motivation other than

applicants' teachings for modifying a cited reference or combining references to achieve the

claimed invention. The Office action does not indicate any suggestion or motivation in the

prior art of record, either explicit or otherwise, for modifying the references or combining

the references in a manner that would achieve the claimed invention, or point out any

teaching as to how such a modification or combination might be accomplished, or what

might be accomplished thereby. Instead the Office action merely recites regarding, for

example, claim 12, "[i]t would have been obvious…to add determining that the file is

encrypted on the WebDAV server wherein the file to a local cache comprises,

communicating with the system to create an image of the file in the local cache that is also

encrypted in order to allocate a corresponding storage area for each user and store the

respective user information in a metadata database." Similar arguments are made for

claims 13-14, 28-31, and 39-41 as well as claims 20 and 24. Such broad, conclusory

statements do not come close to adequately addressing the issue of motivation to combine,

22

In re Application of SHISHIR, et al.
Serial No. 10/052,039

are not evidence of obviousness, and therefore are improper as a matter of law. In re

Dembiczak, 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999).

Further, any motivation for combining Serlet with Prust to achieve the subject

matter claimed in dependant claims 12-14, 28-31, and 39-41, for combining Serlet with

Andreoli to achieve the subject matter claimed in dependant claim 20, and for combining

Serlet with Deen to achieve the subject matter claimed in dependant claim 24 which

provide functional descriptive material, comes directly from applicants' teachings, not from

any of the cited references. See applicants' disclosure, pg. 14, line 8 – pg.16, line 22 and

pg. 23, line 16 – pg. 25. It is well settled that such a hindsight reconstruction based on

applicants' teachings is impermissible by law, as in order to support a § 103(a) rejection,

there must be some teaching, suggestion, or motivation other than applicants' teachings for

modifying a cited reference or combining references to achieve the claimed invention.

For at least these reasons, applicants submit that all the claims are patentable over

the prior art of record. Reconsideration and withdrawal of the rejections in the Office

action is respectfully requested and early allowance of this application is earnestly solicited.
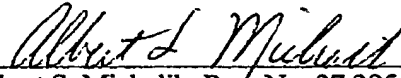
In re Application of SHISHIR, et al.
Serial No. 10/052,039

CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 1-41 are

patentable over the prior art of record and that the application is in good and proper form

for allowance. A favorable action on the part of the Examiner is earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the

prosecution of the subject application, the Examiner is invited to call the undersigned

attorney at (425) 836-3030.

Respectfully submitted,

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24